

# Town of Mashpee

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## March 23, 2015

### AGENDA BOARD OF SELECTMEN MONDAY, MARCH 23, 2015

6:30 p.m. – Convene Meeting – Waquoit Meeting Room – Mashpee Town Hall

#### PLEDGE OF ALLEGIANCE MOMENT OF SILENCE

#### MINUTES

Approval of the following:

Monday, March 9, 2015 – Regular Session – **Vote Required**

#### APPOINTMENTS & HEARINGS

6:30 Public Comment

6:40 Director of Public Works:

- See Click Fix- Mashpee Works
- Acceptance of Fencing Bid – Dog Park – **Vote Required**

6:50 Public Hearing – 2015 Seasonal Liquor License Renewals - **Vote Required**

- *Cooke's Seafood – 7 Ryan's Way*
- *Raw Bar – Popponesset Market Place, Shore Drive*
- *Marketplace Café/Bob's Seafood – 259 Rock Landing Road*
- *The Country Store – Popponesset Marketplace – **Not Renewing***
- *The Lure – 236 Shore Drive*

**Adoption of Seasonal Population Estimate – Vote Required**

#### COMMUNICATIONS & CORRESPONDENCE OLD BUSINESS

- Final Warrant Review, Approval and Execution – **Vote Required**
- Hiring Freeze as it Relates to Warrant

#### NEW BUSINESS

- Land Disposition Discussion
- Transfer Station Fee Discussion – **Vote Required**

ard of Health Comments - NSTAR Herbicide Spraying of Electrical Easement

- Acceptance of Resignation from John Renz – Waste Management Committee–**Vote Required**
- Recommendation for Reappointment to Board of Registrars – Susan Regan-**Vote Required**

- Recommendation for Appointment to Special Events Committee–Susan Stogel-**Vote Required**

W – Spring 2015 Project Update

- Certification & Confirmation of Firefighter/EMT – **Vote Required**

**ADDITIONAL TOPICS**

**LIAISON REPORTS**

**EXECUTIVE SESSION**

Board of Selectmen

Minutes

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Present: Selectman Taylor, Selectman Richardson, Selectman Sherman,  
Selectman Cahalane, Selectman Gottlieb  
Town Manager Joyce Mason  
Assistant Town Manager Tom Mayo

Meeting Called to Order by Chairman Taylor at 6:30 p.m.  
Mashpee Town Hall, Waquoit Meeting Room

Due to technical difficulties, the meeting was not audio taped.

**MINUTES:**

**Monday, March 9, 2015 Regular Session:**

The minutes were amended on page three to correct a typo to read: Fulone.

**Motion made by Selectman Cahalane to approve the Regular Session minutes of Monday, March 9, 2015 as amended.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

**APPOINTMENTS & HEARINGS:**

**Public Comment:** None at this time.

**See Click Fix – Mashpee Works:**

Catherine Laurent, Director of Public Works discussed the new online tool See Click Fix for the public to report neighborhood issues to the Town. The new application will allow residents to report matters of concern such as illegal dumping and potholes to an automatically assigned email. The new app is available on the Town of Mashpee website [www.mashpeema.gov](http://www.mashpeema.gov) or through an iPhone or android link. With a state funding contribution; one-half the cost of the project, the Town has committed to the program for one year. The estimated cost to continue the program is \$4,000 per year in maintenance fees.

As a reminder, the new application is not a substitute for emergency calls. Residents are encouraged to call 911 in the event of an emergency situation.

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APPOINTMENTS & HEARINGS:

Acceptance of Fencing Bid – Dog Park:

It was disclosed that four bids were received in response to the RFB to install fencing and gates at the Mashpee Dog Park. The bid quotations were included in the Selectmen's informational packet from the Director of Public Works dated March 12, 2015 for additional review.

Ms. Laurent, Director has recommended the Board award a contract to Citiworks, Corp. of Attleboro, MA in the amount of \$34,440. Citiworks was the lowest responsible bidder for the project receiving favorable references for good workmanship, quality and time completion.

**Motion made by Selectman Gottlieb to accept the recommendation of the DPW Director and award a contract to Citiworks Corp. in the amount of \$34,440 for the installation of fencing and gates at the Mashpee Dog Park.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes   Selectman Richardson, yes  
Selectman Sherman, yes   Selectman Cahalane, yes  
Selectman Gottlieb, yes   Opposed, none

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NEW BUSINESS:

Transfer Station Fee Discussion:

The Board of Selectmen reviewed three scenarios relative to proposed Transfer Station operation over a five-year period. The scenarios were outlined in a memorandum from the Town Manager dated March 18, 2015 as noted;

Scenario #1 - 25% of the operation would continue as covered through property taxes in FY16, increase the 2<sup>nd</sup> household sticker, increase operation costs by 2.5%, no change in trash tonnage, no change in gate receipts and no capital costs.

Scenario #2 – 16% of the operation would be covered through property taxes in FY16, increase the 2<sup>nd</sup> household sticker, increase operation costs by 2.5%, no change in trash tonnage, no change in gate receipts and no capital costs.

Scenario #3 – 25% of the operation would continue as covered through property taxes in FY16, 18.75% in FY17, 12.5% in FY18, 6.25% in FY19, and 0% in FY20. The Transfer Station through an Enterprise Fund would then become self-funded. This would assume a 2.5% increase each year in operation costs, no change in trash tonnage, no capital costs and no change in gate receipts.

It is also proposed the 2<sup>nd</sup> household sticker be colored differently to reduce sticker abuse. This action would prompt the attendant to check the license plate number against the sticker. The recycle only sticker would be issued free of charge for the first year to Mashpee residents only.

Discussion followed with regards to the scenario's as proposed. It was noted that Scenario #1 and Scenario #3 are status quo at 25%, and the fee structure is essentially the same in the first year. If the Town were to move forward at the end of five-years to operate the Transfer Station as an Enterprise Fund as described in Scenario #3, it would require a policy decision which would result in Town Meeting action.

In an effort to reduce costs, the use of organics to eliminate approximately 20% of the waste was considered as was continued education and outreach.

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NEW BUSINESS:

Transfer Station Fee Discussion: (continued)

Motion made by Selectman Richardson to support Scenario #1, in year-one, the Transfer Station sticker fee shall be \$119, 2<sup>nd</sup> household permit \$10 using a different color for the 2<sup>nd</sup> householder sticker.

Motion seconded by Selectman Cahalane.

The motion was withdrawn by Selectman Richardson and Selectman Cahalane.

**Motion made by Selectman Richardson to support Scenario #1, in year-one; FY16 the Transfer Station sticker fee shall be \$119, 2<sup>nd</sup> household permit \$10.**

**Motion seconded by Selectman Cahalane.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Taylor, yes   Selectman Richardson, yes  
Selectman Sherman, yes   Selectman Cahalane, yes  
Selectman Gottlieb, yes   Opposed, none**

It was agreed the contractor should perform to the mandates of the contract to appropriately check all stickers to resolve the sticker abuse situation. Although the colored decal for the 2<sup>nd</sup> household sticker appeared as a viable

option, it was agreed the Town Clerk would not have sufficient time to implement the change.

It was determined the Board of Selectmen would implement controls regarding Rules & Regulations at the Transfer Station at the next meeting. Matters to be considered include enforcement with the waste management contractor, the use of organics to reduce waste, and education and public outreach initiatives.

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NEW BUSINESS:

DPW – Spring 2015 Project Update:

Catherine Laurent, DPW Director updated the Board on the schedule of spring projects which include the Community Park, the Great River Boat Ramp/Parking Lot Improvement project and the completion of the Mashpee Dog Park. It was noted that as a result of the snow cover and depth of the frost, work may be delayed.

The DPW anticipates resuming the Community Park project in mid-April. Work includes fine grading and the paving of walkways, the construction of stone entry columns, the installation of signage, planting and mulching of areas to be landscaped and the loaming and seeding of grass areas. During this phase, light poles will be installed in addition to benches, trash receptacles, and bike racks. The public restrooms located at the Archives building will be finished.

However, due to site conditions, the installation of the concrete for the pavilion, granite curbing and asphalt may not be complete unless the ground has thawed and dried sufficiently. The grand opening of the facility remains on schedule for Memorial Day.

In concern to the depth of the frost and the approaching start of the boating season, the DPW Director in conjunction with a request from the Waterways Committee recommended the postponement of the ramp construction project and related installation of the dock/float system to the fall of 2015.

It was noted that Chapter 91 permitting, a requirement for the dock reconstruction was filed last month. For public awareness and advance notice, it was recommended the DPW Director appropriately post the anticipated closure of the Great River Boat Ramp.

The remainder of the drainage work in the parking lot is scheduled for completion in early May. At this time, work associated to asphalt paving is also planned.

Currently, the DPW is completing the lot clearing at the Mashpee Dog Park. Upon completion, the contractor will complete the remainder of the project which includes site excavation, the installation of water service, fencing and gates and surfacing using rice stone. With favorable weather conditions, the concrete walkways will be poured, and the parking areas paved. Site amenities will follow. The project is anticipated to be complete by mid-June.

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NEW BUSINESS:

DPW – Spring 2015 Project Update: (continued)

With regards to repairs associated to the winter storms, Ms. Laurent indicated the DPW will be conducting road maintenance, crack sealing and patching as soon as weather dictates. Winter recovery funds have been received, and monies must be utilized for road work by the end of June. The Town of Mashpee has received the exact amount of funds for this purpose as last year.

It was noted that street sweeping is on schedule for mid-April.

At Heritage Park, game condition fields are anticipated to be open by mid to the end of April. Currently, the Little League has been organizing practices inside using the school gyms.

APPOINTMENTS & HEARINGS:

Public Hearing – 2015 Seasonal Liquor License Renewals:

The Board of Selectmen acting as the Licensing Authority for the Town of Mashpee opened the Public Hearing on the renewal of 2015 Seasonal Liquor Licenses. The Hearing notice was read aloud into the record in accordance with posting requirements.

All establishments with the exception of The Country Store located in the Popponesset Marketplace have indicated they wish to renew their seasonal liquor license for 2015.

There was no public comment.

**Motion made by Selectman Cahalane to close the Public Hearing.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Taylor, yes   Selectman Richardson, yes  
Selectman Sherman, yes   Selectman Cahalane, yes  
Selectman Gottlieb, yes   Opposed, none**

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Public Hearing – 2015 Seasonal Liquor License Renewals: (continued)

The Board of Selectmen acted as follows;

Cooke's Seafood – 7 Ryan's Way, Mashpee:

**Motion made by Selectman Richardson to renew the 2015 Seasonal Liquor License of Cooke's Seafood pending compliance with all taxes, and a successful Fire Inspection.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

Raw Bar – Popponesset Market Place – Shore Drive, Mashpee:

**Motion made by Selectman Richardson to renew the 2015 Seasonal Liquor License of Popponesset Market Place pending compliance with all taxes, and a successful Fire Inspection.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

Marketplace Café/Bob's Seafood – 259 Rock Landing Road:

**Motion made by Selectman Richardson to renew the 2015 Seasonal Liquor License of Marketplace Café/Bob's Seafood pending compliance with all taxes, and a successful Fire Inspection.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

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Public Hearing – 2015 Seasonal Liquor License Renewals: (continued)

The Lure – 236 Shore Drive, Mashpee:

**Motion made by Selectman Richardson to renew the 2015 Seasonal Liquor License of The Lure pending compliance with all taxes, and a successful Fire Inspection.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

The Country Store – Popponesset Marketplace:

Indication of non-renewal on 3/16/15, no action taken.

Adoption of Seasonal Population Estimate:

Correspondence was received from the Town Planner dated March 3, 2015 recommending the July 10, 2015 population estimate as 34,192 persons. The calculations and data used to develop this estimate for submission to the Alcoholic Beverages Control Commission was included in the Town Planner's submission.

**Motion made by Selectman Cahalane to adopt the Summer Population projection for July 10, 2015 as 34,192 persons.**

**Motion seconded by Selectman Richardson.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Taylor, yes   Selectman Richardson, yes  
Selectman Sherman, yes   Selectman Cahalane, yes  
Selectman Gottlieb, yes   Opposed, none**

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**COMMUNICATIONS & CORRESPONDENCE:**

**Mashpee High School Musical:**

The Board of Selectmen expressed appreciation to the students and those who participated in the recent production of *Godspell*. The Mashpee High School musical was well attended at each performance.

**OLD BUSINESS:**

**Final Warrant Review – Approval and Execution:**

The Board of Selectmen conducted the final review of the May 4, 2015 Special and Annual Town Meeting Warrants. At the last meeting Article #2 and Article #7 of the Special Town Meeting Warrant were held for additional review. The Board of Selectmen took the following action on the referenced articles.

**Article #2:** To fund the Snow & Ice Deficit; \$295,096.

**Motion made by Selectman Gottlieb to endorse Article #2 of the Special Town Meeting Warrant as presented.**

**Motion seconded by Selectman Cahalane.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Taylor, yes   Selectman Richardson, yes  
Selectman Sherman, yes   Selectman Cahalane, yes  
Selectman Gottlieb, yes   Opposed, none**



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OLD BUSINESS:

Final Warrant Review – Approval and Execution: (continued)

Community Preservation – Continue funding the Mashpee Housing Assistance Program for an additional three years; \$330,000, \$110,000 per year.

It was reported the Chair of the CPC and the Mashpee Housing Authority Director were invited to attend the Selectmen's meeting on this date to review the proposed article. There was no one present to discuss the article with the Board of Selectmen. It was noted the Finance Committee voted against the article as the requested audit was not submitted.

Concern was addressed as it relates to the parameters of the program, and the lack of an informative audit. The initiative was supported, however, the manner of administering funds and the return of funding to the Town were regarded as unsettled matters.

It was noted the Community Preservation Committee voted 7-1 with Selectman Taylor in opposition to recommend this article to Town Meeting.

**Motion made by Selectman Gottlieb to remove Article #7 from the Special Town Meeting Warrant.  
Motion seconded by Selectman Taylor.**

**VOTE: 3-2. Motion carries.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, no  
Selectman Sherman, yes Selectman Cahalane, no  
Selectman Gottlieb, yes Opposed, (2)

**Motion made by Selectman Gottlieb to approve and execute the Special and Annual Town Meeting Warrants of Monday, May 4, 2015 as amended.**

**Motion seconded by Selectman Cahalane.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

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OLD BUSINESS:

Hiring Freeze as it relates to Town Meeting Warrant:

For clarification purposes, Joyce Mason, Town Manager indicated the Hiring Freeze instituted by the Board of Selectmen remains in place. The articles on the Town Meeting Warrant are moving forward with the Hiring Freeze taken into consideration.

NEW BUSINESS:

Land Disposition Discussion:

An inventory of tax taking properties was identified and color-categorized per address and map location in the following manner for ease of review; Affordable Housing, Wastewater, Conservation, Park, Sale and Reserve.

Looking into the future use of these lands, the Board of Selectmen reviewed the properties as potential sites for affordable housing, locations impending for wastewater facility needs, park lands for public access, properties deemed as real estate to augment revenues, conservation sites, and reserve or status quo properties the Town would preserve as future opportunities.

Of the \$27 million assessed value of the tax taking properties, approximately \$12 million would be held in the Reserve category. It was noted that many of the reserve properties and tax taking lands in general are quite small, less than ¼ acre, some of which have issues with respect to clear title.

It was agreed the Board of Selectmen would hold public meetings this summer for the purpose of outreach and to gain an opinion from the public regarding the rationale of the land disposition recommendations. It is the intent of the Board of Selectmen to clean-up this pending matter at the October Town Meeting.

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NEW BUSINESS:

Board of Health Comments – NSTAR Herbicide Spraying of Electrical Easement:

At the end of January, the Board of Selectmen received a letter of intent from NSTAR Electric & Gas, now known as Eversource to selectively apply herbicides along power lines and natural gas rights-of-way. The foliage treatments are planned to begin in September through October along with cut surface treatments. The exact time is dependent upon favorable weather conditions.

Most Cape towns are opposed to Eversource's five-year Vegetation Management Plan. It was noted the comment period with respect to this regard has been extended to May 11, 2015. No herbicide applications will occur before the conclusion of the comment period.

In an effort to protect public and private drinking water supplies, the Mashpee Water District has offered assume all costs to mow and manage the rights-of-way in an old fashioned manner. In a unified approach, the Board of Selectmen was receptive to this offer as viable, and an alternative environmental friendly option to spraying herbicides. It was noted the Board of Health has also made comment to the Selectmen on the proposed herbicide program.

**Motion made by Selectman Richardson to send a letter to Eversource in support of the Water District's proposed environmentally friendly decision to mow and manage the rights-of-way.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes   Selectman Richardson, yes  
Selectman Sherman, yes   Selectman Cahalane, yes  
Selectman Gottlieb, yes   Opposed, none

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**NEW BUSINESS:**

**Acceptance of Resignation from John Renz – Waste Management Committee:**

Correspondence was received from John Renz dated March 5, 2015 resigning from the Waste Management Committee.

**Motion made by Selectman Richardson to accept the resignation of John Renz from the Waste Management Committee with regret.**

**Motion seconded by Selectman Cahalane.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes   Selectman Richardson, yes  
Selectman Sherman, yes   Selectman Cahalane, yes  
Selectman Gottlieb, yes   Opposed, none

**Recommendation for Reappointment to Board of Registrars – Susan Regan:**

A letter of interest was received from Susan Regan to be reappointed to the Board of Registrars. Additional communication was received from the Town Clerk dated March 5, 2015 recommending Ms. Regan's appointment. Ms. Regan represents the unenrolled voters of the Town of Mashpee. Her term is due to expire on March 31, 2015.

**Motion made by Selectman Sherman to reappoint Susan Regan to the Board of Registrars for a term to expire on March 31, 2018.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

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Recommendation for Appointment to Special Events Committee – Susan Stogel:

The Board of Selectmen was in receipt of a letter of interest dated March 17, 2015 from Susan Stogel to serve on the Special Events Committee. Ms. Stogel has an extensive career in event planning and hospitality.

**Motion made by Selectman Sherman to appoint Susan Stogel to the Special Events Committee.**

**Motion seconded by Selectman Richardson.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

Certification & Confirmation of Firefighter/EMT:

**Motion made by Selectman Richardson to place the above topic on the Selectmen's agenda.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

Fire Chief Tom Rullo was in attendance to recommend the Board certify and confirm the hiring of Matthew Spears as Firefighter/EMT. The proposed start date is March 24, 2015 at Step 1 of the intended pay scale. All requirements in accordance with the Hiring Certification have been met.

**Motion made by Selectman Gottlieb to certify and confirm the hiring of Matthew Spears as Firefighter/EMT as referenced.**

**Motion seconded by Selectman Richardson.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Taylor, yes Selectman Richardson, yes  
Selectman Sherman, yes Selectman Cahalane, yes  
Selectman Gottlieb, yes Opposed, none

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LIAISON REPORTS:

Special Events: Due to weather conditions, the date of the annual Easter Egg Hunt/Bunny Hop has been re-scheduled to April 4, 2015 at the Village Green in Mashpee Commons starting at 1:00 p.m.

Schools: It is expected that several Mashpee High School students will be participating in governmental activities for upcoming senior projects.

Adjournment:

**Motion made by Selectman Richardson to adjourn at 7:37 p.m.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Taylor, yes   Selectman Richardson, yes  
Selectman Sherman, yes   Selectman Cahalane, yes  
Selectman Gottlieb, yes   Opposed, none**

Respectively submitted,

Kathleen M. Soares  
Secretary to the Board of Selectmen